

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND**

**CHAMBERS OF
RICHARD D. BENNETT
UNITED STATES DISTRICT JUDGE
NORTHERN DIVISION**

**U.S. COURTHOUSE - CHAMBERS 5D
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February 12, 2013

LETTER ORDER

To Counsel of Record:

Re: In re Titanium Dioxide Antitrust Litigation,
Civil No. RDB-10-0318

Dear Counsel:

This letter will confirm the teleconference held yesterday regarding the status of the case. As we discussed, our next regularly scheduled conference call will be held on Monday, March 18, 2013, at 4:30 p.m.

This Court is prepared to hold a hearing on outstanding discovery disputes, specifically relating to the Plaintiffs' responses to the Defendants' contention interrogatories, on Monday, March 4, 2013. If this hearing becomes necessary, the parties' briefs should be confined to the following limits:

- On or before February 20, 2013, the Defendants may file a motion to compel of no more than five pages; and
- On or before February 27, 2013, the Plaintiffs may file a response of no more than five pages.

Please inform my chambers as soon as possible whether this hearing will be necessary.

Finally, the Plaintiffs' request for limited additional discovery, appearing in its status letter to the Court dated February 4, 2013 (ECF No. 385), is DENIED. Rule 26(b)(2) of the Federal Rules of Civil Procedure governs a court's alteration of discovery scope and limits. Pursuant to this rule, this Court considers the fact that during the discovery period, the Plaintiffs explored and inquired upon the topic on which they now seek to subpoena deposition testimony. It should also be noted that the Plaintiffs are free to examine at trial those individuals they seek to depose. Given that the requested deposition testimony would

allow the Plaintiffs to retread the ground already covered during the discovery period of this case, this Court will not permit the additional discovery that the Plaintiffs request.

Notwithstanding the informal nature of this letter, it is an Order of this Court and the Clerk is directed to docket it as such.

Sincerely,

_____/s/_____
Richard D. Bennett
United States District Judge